1473 Rec'd PCT/PTO 2 0 JAN 2006 TO-1390 (Rev. 02-2005)

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## TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

ATTORNEY'S DOCKET NUMBER WBL0003 U.S. APRILCATION NO. (If known, see 37 CFR 1.5) **CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 り**りり400 PRIORITY DATE INTERNATIONAL FILING DATE INTERNATIONAL APPLICATION NO. PCT/IB2004/002016 June 10, 2004 July 23, 2003 TITLE OF INVENTION METHOD FOR PREPARING A BEVERAGE FROM A CAPSULE AND DEVICE FOR CARRYING OUT THE **METHOD** APPLICANT(S) FOR DO/EO/US Eric Favre et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. 

This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. b. Ç. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 6. X  $\boxtimes$ is attached hereto. a. has been previously submitted under 35 U.S.C. 154(d)(4). b. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) **7**. ⊔ are attached hereto (required only if not communicated by the International Bureau). a. have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. C. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). Items 11 to 20 below concern document(s) or information An Information Disclosure Statement under 37 CFR 1.97 and 1.98. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. A preliminary amendment. **13**. ⊠ An application Data Sheet under 37 CFR 1.76. A substitute specification. A power of attorney and/or change of address letter. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. A second copy of the published International Application under 35 U.S.C. 154(d)(4). A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. Other items or information:

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. U.S. APPLICATION NO. (if known see 37 CFR ATTORNEY'S DOCKET NUMBER INTERNATIONAL APPLICATION NO. PCT/IB2004/002016 **WBL0003 CALCULATIONS** PTO USE ONLY The following fees are submitted: \$300.00 21. \$300 22. Examination fee \$100 \$ \$200.00 \$200 Search fee 23. Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ......\$100 \$400 \$400.00 \$500 TOTAL OF 21, 22 and 23 = \$900.00 Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Extra Sheets Number of each additional 50 or RATE **Total Sheets** fraction thereof (round up to a whole \$ 0 \$250.00 -100 =/50 = \$0.00 X Surcharge of \$130.00 for furnishing the oath or declaration later than 30 \$ months from the earliest claimed priority date (37 CFR 1.492(h)). **RATE CLAIMS NUMBER EXTRA** NUMBER FILED 0 Total claims \$ - 20 = \$50.00 \$0.00 X Independent claims - 3 = \$400.00 \$200.00 Multiple Dependent Claims (if applicable) \$360.00 \$ \$1,300.00 **TOTAL OF ABOVE CALCULATIONS** Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are \$650.00 \$ reduced by 1/2. SUBTOTAL \$650.00 \$ Processing fee of \$130.00 for furnishing the English translation later than 30 months from \$ the earliest claimed priority date (37 CFR 1.492(i)). \$ \$650.00 TOTAL NATIONAL FEE Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must \$40.00 be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per TOTAL FEES ENCLOSED = \$690.00 Amount to be \$ refunded: Amount to be \$ charged: A check in the amount of \$690.00 to cover the above fees is enclosed. b. Please charge my Deposit Account to cover the above fees. in the amount of A duplicate copy of this sheet is enclosed. c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment 02-0390 . A duplicate copy of this sheet is enclosed. to Deposit Account d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: Eric J. Groen Baker & Daniels LLP SIGNATURE 300 North Meridian Street, Suite 2700 Indianapolis, IN 46204 Tel: (317) 237-1115 Eric J. Groen **NAME** 32,230 **REGISTRATION NUMBER** 

| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Eric Favre et al.   |                              |                       | Docket No. WBL0003   |                |
|--|------------------------------|-----------------------|----------------------|----------------|
| Application No.  | Filing Date January 20, 2006 | Examiner unknown      | Customer No. unknown | Group Art Unit |
| Invention: Method for Preparing a Beverage From a Capsule and Device for Carrying Out the Method   |                              |                       |                      |                |
| I hereby certify that the following correspondence:  New '371 Application consisting of: Transmittal Letter, English Translation; Declaration; Information Disclosure  |                              |                       |                      |                |
| Statement; Assignment and Recordation Cover Sheet; Preliminary Amendment; Application Data Sheet; Power of Attorney; Check No. #371455 in the amount of \$690.00 and return postcard  (Identify type of correspondence)  is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 |                              |                       |                      |                |
| CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  |                              |                       |                      |                |
| Eric J. Groen  (Typed or Printed Name of Person Mailing Correspondence)  (Signature of Person Mailing Correspondence)  EV 736438177 US   |                              |                       |                      |                |
|  |                              | ("Express Mail" Maile |                      |                |
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